

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/716,887	WOODARD ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	C. Michelle Colon	3623	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed March 28, 2005.
2. ☒ The allowed claim(s) is/are 29.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

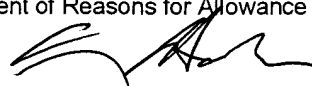
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                     | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____  |

  
**TARIQ R. HAFIZ**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3600**

### **ALLOWANCE**

1. The following is an Allowance in response to the amendment submitted on March 28, 2005. Claims 1-28 and 30-33 have been cancelled. Claim 29 has been amended. Claim 29 is pending.

### ***Reasons for Allowance***

2. Claim 29 is allowed.

3. The following is an examiner's statement of reasons for allowance: None of the prior art of record, taken individually or in any combination, teach, *inter alia*, a system for scheduling appointments at a real estate property through client browsers, comprising a database server for communication with the client browsers through a middle tier; the middle tier programmed for routines to manage scheduling of utilization of the property related to a real estate transaction; the middle tier programmed routines including steps for transmitting communications to provide a user of the client browser with a view of the availability of the property for an appointment related to a real estate transaction upon the browser selecting the property; the middle tier programmed routines including steps for receiving, storing data on, and responding to a request from the user of the client browser for an appointment at the property at a desired time; the middle tier programmed routines including steps for receiving and storing property available and unavailable times for appointments at the property from a seller of the property using a second client browser; the middle tier programmed routines including steps for receiving and storing certain time periods as available and unavailable as far

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as an agent's availability for appointments from the agent user using a third client browser; the middle tier programmed routines including steps for displaying the agent availability to a client user viewing property availability for scheduling an appointment; the middle tier programmed routines including steps for communicating information for an agent user to view the agent users schedule including entries related to properties including the property and to other agent user appointments not related to properties; the middle tier programmed routines including steps for communicating information for an agent user to view availability and unavailability of the agent users listed real estate properties; *the middle tier operating under a scheduling model requiring both a buyer agent and a seller agent to simultaneously be at showing appointments at the property; the middle tier having a programmed logic rule that if a buyer agent is busy or showing, none of the other properties that the buyer agent represents can be shown unless transferred to an assistant of buyer; the middle tier having a programmed logic rule that if a seller agent is busy or showing, none of the other properties that the seller agent represents can be shown unless transferred to an assistant of seller; and the middle tier having a programmed logic rule that an owner of the property owner can block out a time that the property is unavailable, the seller agent is still able to show other properties.*

The prior art most closely resembling Applicant's claimed invention are as follows: Broerman (U.S. US 6,594,633), Conmy et al. (U.S. 6,101,480) and Bisdikian (U.S. 5,974,06).

Broerman teaches a real estate computer network that facilitates a real estate transaction between a buyer and a seller by electronic communication. Buyers and sellers use the network to search for a property in a property database and schedule showings. However, Broerman does not disclose *a real estate scheduling system with a middle tier operating under a scheduling model requiring both a buyer agent and a seller agent to simultaneously be at showing appointments at the property; the middle tier having a programmed logic rule that if a buyer agent is busy or showing, none of the other properties that the buyer agent represents can be shown unless transferred to an assistant of buyer; the middle tier having a programmed logic rule that if a seller agent is busy or showing, none of the other properties that the seller agent represents can be shown unless transferred to an assistant of seller; and the middle tier having a programmed logic rule that an owner of the property owner can block out a time that the property is unavailable, the seller agent is still able to show other properties.*

Conmy et al. teaches a system for scheduling time intervals for a plurality of users on a network including a database that stores a profile for each potential invitee. The invitee profiles have information including available and unavailable times for that user. However, the scheduling system of Conmy et al. does not disclose *a middle tier operating under a scheduling model requiring both a buyer agent and a seller agent to simultaneously be at showing appointments at the property; the middle tier having a programmed logic rule that if a buyer agent is busy or showing, none of the other properties that the buyer agent represents can be shown unless transferred to an assistant of buyer; the middle tier having a programmed logic rule that if a seller agent*

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*is busy or showing, none of the other properties that the seller agent represents can be shown unless transferred to an assistant of seller; and the middle tier having a programmed logic rule that an owner of the property owner can block out a time that the property is unavailable, the seller agent is still able to show other properties.*

Bisdikian teaches a system for providing customized notification in response to a search query. Bisdikian also teaches a system for real estate agents, buyers and sellers to schedule a meeting at the location of a real estate property, where the scheduling system automatically evaluates the schedules of all parties and determines a suitable time. However, the system of Bisdikian does not disclose *a middle tier operating under a scheduling model requiring both a buyer agent and a seller agent to simultaneously be at showing appointments at the property; the middle tier having a programmed logic rule that if a buyer agent is busy or showing, none of the other properties that the buyer agent represents can be shown unless transferred to an assistant of buyer; the middle tier having a programmed logic rule that if a seller agent is busy or showing, none of the other properties that the seller agent represents can be shown unless transferred to an assistant of seller; and the middle tier having a programmed logic rule that an owner of the property owner can block out a time that the property is unavailable, the seller agent is still able to show other properties.*

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Drawings***

4. The application having been allowed, formal drawings are required in response to this Office Action.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Colon whose telephone number is 571-272-6727. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 571-272-6729.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

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***Commissioner for Patents***

***P.O. Box 1450***

***Alexandria, VA 22313-1450***

or faxed to:

703-872-9306 [Official Communications; including After Final  
communications labeled "Box AF"]

571-273-6727 [For status inquiries, draft communication, labeled  
"Proposed" or "Draft"]

Hand delivered responses should be brought to:

***United States Patent and Trademark Office***

***Customer Service Window***

***Randolph Building***

***401 Dulany Street***

***Alexandria, VA 22314***

  
cmc

June 21, 2005

  
**TARIQ R. HAFIZ**  
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